

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ROBERT DURALL,	)	CASE NO. C06-1012-MJP-MAT
	)	
Petitioner,	)	
	)	
v.	)	ORDER DENYING PETITIONER'S
	)	MOTION FOR APPOINTMENT OF
KENNETH QUINN,	)	COUNSEL
	)	
Respondent.	)	
_____	)	

This matter comes before the Court on petitioner's motion for appointment of counsel. The Court, having reviewed petitioner's motion, and the balance of the record, does hereby find and ORDER as follows:

(l) Petitioner's motion for appointment of counsel (Dkt. No. 5) is DENIED. There is no right to have counsel appointed in cases brought under 28 U.S.C. § 2254 unless an evidentiary hearing is required. *See Terravona v. Kincheloe*, 852 F.2d 424, 429 (9th Cir. 1988); *Brown v. Vasquez*, 952 F.2d 1164, 1168 (9th Cir. 1992); and, Rule 8(c) of the Rules Governing Section 2254 Cases in the United States District Courts. The Court may exercise its discretion to appoint counsel for a financially eligible individual where the "interests of justice so require."

01 18 U.S.C. § 3006A. However, petitioner fails to satisfy the Court that the interests of justice are  
02 best served by appointment of counsel at this time.

03 (2) The Clerk shall direct copies of this Order to petitioner and to the Hon. Marsha J.  
04 Pechman.

05 DATED this 22nd day of August, 2006.

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07 Mary Alice Theiler  
08 United States Magistrate Judge  
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